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January 14, 2016

VIA ECF AND ELECTRONIC MAIL

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Room 723
New York, New York 10004-1408
Bernstein.chambers@nysb.uscourts.gov

Re: Picard v. Marja Lee Angler, et al., Adv. Pro. No. 10-04935

Dear Judge Bernstein:

We are counsel to Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq., and the estate of Bernard L. Madoff. We write to request a conference with the Court, pursuant to Local Bankruptcy Rule 7007-1(b), regarding defendants’ failure to respond to the Trustee’s discovery requests.

The Trustee served Requests for Admission and Requests for Production (attached hereto as Exhibits A and B, respectively) on November 18, 2015. Shortly thereafter, on December 7, 2015, the Trustee reminded the defendants that their responses and objections to the Trustee’s discovery would be due on December 21, 2015. Defendants nevertheless failed to serve any responses to the Trustee’s discovery by the December 21 deadline.

In attempt to avoid the Court’s involvement, the Trustee informed defendants on January 12, 2016 that he would seek judicial intervention if defendants did not serve their discovery responses by January 13, 2016. Defendants failed to meet this final deadline.

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In light of the defendants' failure to comply with their discovery obligations, the Trustee respectfully requests an order: (1) confirming that, pursuant to the express language of Fed. R. Civ. P. 36(a)(3), the Requests for Admission are deemed admitted; and (2) compelling responses to the Trustee's Requests for Production.

Respectfully submitted,

/s/ Edward J. Jacobs

Edward J. Jacobs

cc: Joshua A. Berman
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The Mendel J. Engler Revocable Trust Under Agreement and Restatement Dated July 8, 1993